

## **Text of Proposed Regulations**

---

**Add Sections 22100, 22110, 22120 and 22130 of Chapter 11 of Division 7 of Title 2 of the California Code of Regulations to read:**

### **Chapter 11. Safe at Home Confidential Address Program**

#### **§22100. Safe at Home and Designated Community-Based Assistance Programs**

(a) The confidential address program for reproductive health care services providers, employees, volunteers, and patients established in Chapter 3.2 (commencing with Section 6215) of Division 7 of Title 1 of the Government Code and operated by the Secretary of State shall be known as Safe at Home.

(b) Designated community-based assistance programs referred to in this chapter and in Chapter 3.2 (commencing with Section 6215) of Division 7 of Title 1 of the Government Code shall be known as enrolling agencies. Community-based assistance programs that are eligible to be designated as enrolling agencies are independent abortion providers and Planned Parenthood clinics.

(c) An eligible community-based assistance program as defined in subdivision (b) may submit an agreement with the Secretary of State to become a designated enrolling agency. There shall be no application fee for designation as an enrolling agency. Upon approval of the application, the Secretary of State shall provide training and orientation information to the enrolling agency.

(d) All information submitted by a Safe at Home applicant shall be confidential and treated as such by enrolling agencies. Enrolling agencies shall transfer all information submitted by a Safe at Home applicant to the Secretary of State within twenty-four (24) hours of receipt. Enrolling agencies shall not copy, store, or maintain any of the information provided by a Safe at Home applicant, including, but not limited to, applications, attachments, supporting documentation, notes, letters, payment information, and information therein.

(e) An enrolling agency shall cease to be designated as such upon any of the following: (1) the Secretary of State receives written notification by an authorized representative of the enrolling agency that it is withdrawing from the program; (2) the enrolling agency does not satisfy the definition provided in subdivision (b); or (3) the Secretary of State finds that the program is not fulfilling its obligations and responsibilities under this chapter and Chapter 3.2 (commencing with Section 6215) of Division 7 of Title 1 of the Government Code. Termination of designation

as an enrolling agency shall be in accordance with Section 22130. Upon the effective date of the termination, the community-based assistance organization shall not represent itself as an enrolling agency and shall return any Safe at Home applications and materials to the Secretary of State within three (3) business days.

**Note:** Authority cited: Section 6215.9, Government Code.

Reference: Section 6215.2(a), Government Code.

### **§ 22110. Application and Annual Fees**

(a) The application fee for each application submitted by a reproductive health care services facility, provider, employee, volunteer, or family member of a reproductive health care services provider, employee or volunteer who is a program participant is thirty dollars (\$30). The application fee is nonrefundable.

(b) The annual fee for reproductive health care services facilities, providers, employees, and volunteers who are health care professionals is seventy-five dollars (\$75). The annual fee is nonrefundable. The annual fee must be received by the Secretary of State no later than five (5) business days after the anniversary date of becoming a program participant. If the annual fee is received by the Secretary of State later than five (5) business days after the anniversary date of becoming a program participant, certification as a program participant shall be terminated in accordance with Section 22130.

(c) Application and annual fees shall not be charged to reproductive health care services patients and family members of a reproductive health care services patients who are program participants.

**Note:** Authority cited: Section 6215.9, Government Code.

Reference: Section 6215.2(c), Government Code.

### **§ 22120. Renewal Procedures**

(a) Certification as a program participant shall be for a term of four (4) years, except for reproductive health care services facility volunteers. At least two (2) months prior to the four-year anniversary date of certification as a program participant, the Secretary of State shall mail a renewal application to each program participant. The renewal application and application fee must be received by the Secretary of State no later than five (5) business days after the expiration of the four (4) year term. If the renewal application and application fee is received by the Secretary of State later than five (5) business days after the expiration of the four (4) year term, the certification as a program participant shall not be renewed.

(b) Certification as a program participant for a reproductive health care services facility volunteer shall be for a term that will expire six (6) months after the last date he or she volunteers at the facility. A program participant who ceases to volunteer at a reproductive health care services facility shall immediately notify the Secretary of State in writing as to the last date he or she volunteered at a reproductive health care services facility. The Secretary of State shall send a letter by certified mail to the program participant confirming receipt of the notification and identifying the date the certification shall expire.

**Note:** Authority cited: Sections 6215.2(e) and 6215.9, Government Code.

Reference: Section 6215.2(e), Government Code.

### **§22130. Termination and Appeal Procedures**

(a) Notification of termination shall be sent to program participants and enrolling agencies by certified mail. The notification of termination shall include the grounds for termination, the date in which termination shall be effective, and the appeal procedures.

(b) A program participant or enrolling agency shall have five (5) business days from date of receipt of the notification of termination to provide the Secretary of State with a statement signed by the program participant or authorized representative of the enrolling agency appealing the termination. The statement shall include argument and facts as to why the Secretary of State should not terminate the certification or designation. Any evidence, including supporting declarations, shall be submitted with the signed statement. The Secretary of State shall have three (3) business days from the date of receipt to review the appeal, issue a decision, and send by certified mail the decision to the program participant or enrolling agency.

(c) If the appeal process for a program participant extends beyond the termination date identified in the notification of termination, the Secretary of State shall continue to act as though the certification is valid until the Secretary of State issues a decision. If the decision is to terminate the program participant's certification, the termination shall be effective three (3) business days after the decision is mailed by certified mail to the program participant. The decision shall also state the date in which the program participant's certification shall be terminated.

(d) If the appeal process for an enrolling agency extends beyond the termination date identified in the notification of termination, the community-based assistance organization shall not represent itself as an enrolling agency, unless and until such time as the Secretary of State reinstates the designation as an enrolling agency.

**Note:** Authority cited: Section 6215.9, Government Code.

Reference: Section 6215.4(c), Government Code.